

## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Brandice Elliott, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** January 28, 2014

**SUBJECT:** BZA Case 18697 – request for special exception relief under § 731 to allow a massage establishment on the first floor of premises 3429 14<sup>th</sup> Street, N.W.

### **I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following:

- § 731, Massage Establishments

### **II. LOCATION AND SITE DESCRIPTION**

Address	3429 14 <sup>th</sup> Street, N.W.
Legal Description	Square 2836, Lot 132
Ward	1, 1A
Lot Characteristics	The rectangular corner lot is 1,980 square feet, with a frontage of 22.5 feet on 14 <sup>th</sup> Street. The rear of the lot is also 22.5 feet wide and abuts a 15 foot wide public alley.
Zoning	C-2-A – low and medium density residential areas that include office employment areas, shopping centers, and medium-bulk mixed use centers
Existing Development	Row dwelling with ground floor retail, permitted in this zone.
Historic District	N/A
Adjacent Properties	Adjacent properties along the east side of 14 <sup>th</sup> Street are developed with row dwellings, with many of the structures having ground floor retail or services.
Surrounding Neighborhood Character	The surrounding neighborhood character along the east side of 14 <sup>th</sup> Street includes three story row dwellings with ground floor retail or service uses. A church is located on the south side of Newton Street, just across the street from the subject site. The west side of 14 <sup>th</sup> Street is developed with a four story multi-family development known as Allegra. The Allegra development includes ground floor retail, which consists of dry cleaners, a restaurant and several vacant suites.

### III. APPLICATION IN BRIEF

The applicant proposes to locate a massage establishment, which is permitted only by special exception within the C-2 Districts. The basement unit is currently occupied by a corner store, while the second and third floors are occupied by residents. The massage establishment would be located on the first floor, which was previously occupied by a prepared food shop, but has been vacant for several years. No building additions are proposed, and only minor modifications to the interior will occur.

The applicant has indicated that initially, the owner would be the only massage therapist in the establishment. As business stabilizes, the owner may hire up to four additional staff. There are two parking spaces located at the rear of the building, and it is anticipated that those spaces would be available for customers, as any future employees would be asked to arrive by means other than automobile. The use would not include accessory retail sales, although zoning would permit this. The business owner has indicated that all required licensing will be obtained.

### IV. OFFICE OF PLANNING ANALYSIS

#### a. Special Exception Relief pursuant to § 731, Massage Establishments

*731.3 The establishment shall be compatible with other uses in the area.*

The proposed massage establishment would be compatible with other uses in the area. The 14<sup>th</sup> Street corridor includes a variety of retail and service uses, including those that focus on well-being and health, such as yoga. The proposed establishment would be located approximately three blocks north of Columbia Heights Metro Station, which is home to a significant amount of retail. The use would maintain a lower profile among the ground floor retail on 14<sup>th</sup> Street, and provide a suitable transition to residential uses located above and east of the establishment.

*731.4 The use shall not be objectionable because of its effect on the character of the neighborhood or because of noise, traffic, or other conditions.*

The use would not be objectionable because of noise, traffic or other conditions. The proposed massage establishment is inherently a quiet use that would be fully contained within the first floor of the building. The applicant has noted that there will be an effort to market within the Columbia Heights neighborhood, which would limit the impact on vehicular traffic. However, the establishment would have two parking spaces should customers choose to drive, ensuring that the impact on street parking is limited.

*731.5 The establishment shall not have an adverse impact on religious, educational, or other institutional facilities located in the area.*

The establishment would not have an adverse impact on religious, educational or other institutional facilities located in the area. OP is aware of a religious facility located at the southwest corner of 14<sup>th</sup> Street and Newton Street, which is directly across from the proposed massage establishment. The applicant has been unable to contact the occupant; however, the facility did receive notice of the public hearing and request. To date, no comments have been received from the religious facility.

**b. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?**

The proposal is in harmony with the general purpose and intent of the Zoning Regulations and Maps. Approval of the special exception would permit the massage establishment to locate within a C-2-A District, in conformance with the specific criteria for massage establishments as contained within § 731 of the Zoning Regulations.

**c. Would the proposal appear to tend to affect adversely, the use of neighboring property?**

The proposal would not tend to affect adversely the use of neighboring property. It would permit a licensed business with licensed professionals to operate a use permitted by special exception within an existing commercial district. The establishment would be a quiet use that compliments other existing businesses located in the Columbia Heights neighborhood.

**V. COMMENTS OF OTHER DISTRICT AGENCIES**

OP did not receive comments from other District agencies.

**VI. COMMUNITY COMMENTS**

At its regularly scheduled meeting on January 8<sup>th</sup>, 2014, ANC 1 unanimously voted to recommend approval of the application.

Attachment: Location Map

### Location Map

